

MEETINGS TO DATE 6
NO. OF REGULARS 5
NO. OF SPECIALS 1

LANCASTER, NEW YORK
MARCH 11, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 11th day of March 1985, at 8:00 P.M., and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Red Roof Inns, Inc.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Attorney for the Petitioner, the Erie County Division of Planning and the Town Clerks of the Towns of Cheektowaga and Amherst, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation."

the Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D:

PROPOSERS

Anthony Rinaldo, Petitioner's Attorney
69 Delaware Ave., Suite 1110
Buffalo, N.Y. 14202

OPPOSERS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
8:50 P.M.

The Town Board, later in the meeting, suspended the necessary
rule and adopted a resolution approving this rezone.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:50 P.M., the Town Board held a Public Hearing to hear all
Interested persons upon the proposed rezone petition of Keith and Margretta
Wilkinson.

Affidavits of Publication and Posting of a Notice of a Public
Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to
the Petitioners and the Erie County Division of Planning, notifying these
Individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the
Erie County Division of Planning wherein the Division acknowledged receipt
of a Notice of this Public Hearing and commented as follows: "No
Recommendation."

the Town Clerk presented a letter from the Town of Lancaster
Planning Board to the Town Board recommending approval of the proposed
rezone in the area which contains the building complex, but recommending
that the other open space area to the west be left RC-Residence Restricted
Business and R1-Residential.

PROPOSERS

Paul Chamberlain, Petitioners Representative
4401 Walden Avenue
Lancaster, New York 14086

OPPOSERS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN MILLER
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
9:10 P.M.

The Town Board, later in the meeting, suspended the necessary
rule and adopted a resolution approving this rezone.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS - ACTIONS AND DIRECTIVES:

None

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the meetings of February 25,
1985, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town of Lancaster by resolution dated July 6, 1982,
and by joint municipal agreement, joined in the creation and became a voting
member of the Northeastern Communities Solid Waste Management Board, and

WHEREAS, by resolution dated February 25, 1985, the Town Board
agreed to the expansion of membership of said Board to include additional
communities, and

WHEREAS, said Northeastern Communities Solid Waste Management Board,
at its meeting of February 5th, agreed that each participating community would
contribute the sum of Five Hundred Dollars (\$500.00) in order to defray
expenses of the Board for the current year, and

WHEREAS, said contribution by the Town of Lancaster would be in the
public interest,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes and directs the Supervisor to make payment of the sum of Five
Hundred Dollars (\$500.00) from the General Fund Account No. A8020.4 to the
Northeastern Communities Solid Waste Management Board and that the Supervisor
forward said check to J. William Lexo, 1910 Bowen Road, Elma, New York 14059.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Executive Director of the Lancaster Youth Bureau,
by letter dated January 3, 1985, has requested that the hourly wage for
tutors used under the Tutorial Program sponsored by the Lancaster Youth
Bureau be increased from \$4.00 to \$5.00 an hour, and

WHEREAS, the Executive Director has certified that there are
sufficient funds available in the 1985 Budget of the Youth Bureau to absorb
this increase,

NOW, THEREFORE, BE IT

RESOLVED, that effective March 11, 1985 the salary of tutors
employed in the Tutorial Program of the Youth Bureau of the Town of Lancaster
be and is hereby set at \$5.00 an hour.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK TO WIT:

WHEREAS, the Town Board, by resolution dated January 7, 1985, has appropriated the sum of \$700.00 among various veterans organizations within the Town of Lancaster for the proper observance of Memorial Day and Independence Day, and

WHEREAS, the Disabled American Veterans, Korean Era Memorial Chapter No. 203, by letter dated January 18, 1985, has requested funding for the proper observance of Memorial Day and Independence Day, and

WHEREAS, the Supervisor, by letter dated February 6, 1985, has recommended that this organization be funded for the proper observance of Memorial Day and Independence Day in the amount of \$200.00,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$200.00 be and is hereby allocated as reimbursement funds to the Disabled American Veterans, Korean Era Memorial Chapter No. 203, for the proper observance of Memorial Day and Independence Day, and shall be paid to the Chapter upon submission of properly itemized and audited vouchers which shall be received during 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

PREFILED RESOLUTION NO. 5

Kwak/_____ Appoint Chairman of Zoning Board of Appeals

Councilman Kwak requested that this resolution be tabled for further review and investigation.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it will be necessary to engage the assistance of Fox and Company, Town Accountants, to provide year-end bookkeeping and accounting needs in the Supervisor's office in accordance with their proposal dated March 6, 1985, at a sum not to exceed \$2,000.00;

NOW, THEREFORE, BE IT

RESOLVED, that Fox and Company be retained to provide year-end bookkeeping and accounting needs in the Supervisor's office, for a total sum not to exceed \$2,000.00, said sum to be paid from Account No. A1320.412, and that the Supervisor be and is hereby authorized and directed to accept the proposal of Fox and Company dated March 6, 1985, a copy of which is filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated March 3, 1985, has requested the confirmation of one new member duly elected to the membership of the Town Line Volunteer Fire Department, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the following individual in the Town Line Volunteer Fire Department, Inc.:

Russell Schibler
449 Westwood Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT:

RESOLVED, that the Town Board of the Town of Lancaster hereby
 approves the 1984 Budget amendments as follows:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
<u>SPECIAL DISTRICT FUND:</u>		
Fire Districts:		
Appropriated Fund Balance	SF 599.	2,845.00
Budget Appropriations	SF 960.	2,845.00
Hydrant Repairs	SF3416.	2,845.00
Water Districts:		
Appropriated Fund Balance	SW 599.	27.00
Budget Appropriations	SW 960.	27.00
Judgement and Claims	SW8357.	27.00

The question of the adoption of the foregoing resolution was
 duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 7596 to 7663 Incl.	\$ 85,136.53
Part Town Fund	No. 1166 to 1180 Incl.	\$ 3,062.36
Highway Fund	No. 2821 to 2844 Incl.	\$ 34,268.09
Special District Fund	No. 802 to 805 Incl.	\$ 4,468.30
Trust & Agency Fund	No. 865 to 868 Incl.	\$ 13,309.17
Capital Fund	No. 743 to 743 Incl.	\$ 25,000.00
Community Development Fund	No. 1210 to 1210 Incl.	\$ 127.01
Improvement Facilities (Sewer Dist. No. 2)	No. 154 to 155 Incl.	\$108,035.74

and,

BE IT FURTHER

RESOLVED, that the claim M. Kotansky & Son, Inc., for \$127.01 be
and is hereby approved and the Supervisor be and is hereby ordered to submit
this claim for payment from Community Development Project No. 438313, Sr.
Citizens Center.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

THE FOLLOWING RESOLUTION WAS OFFERED,
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
7	Beauty Pools Inc.	47 Heritage Dr.	ER. INGROUND POOL
8	Milton Lange	64 Stony Rd.	EX. FR. SIN. DWLG
9	Robert Ginter	6 Robinwood kCt.	EXT. FENCE

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 11th day of March, 1985, on the petition of Red Roof Inns, Inc., 4355 Davidson Road, Hillard, Ohio, the contract vendee of a parcel of land at 6635 Transit Road, Town of Lancaster, which property is located on the east side of Transit Road at the intersection of Maple Drive at Transit Road, south of the New York State Thruway, extending easterly to a depth of approximately 884 ft. ± along Maple Drive, for the purpose of rezoning said property, as follows:

PARCEL "A" - From a C1-Local Retail Business District
and R1-Single Family Residence District to
a C2-General Commercial District; and

PARCEL "B" - From an R1-Single Family Residence District
to a C1-Local Retail Business District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed as follows:

PARCEL "A" - From a C1-Local Retail Business District and R1-Single Family Residence District, to a C2-General Commercial District, described as:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 50.00 feet east from west line of Lot 12, as measured along the said south line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 254.35 feet to a point; Thence Southerly at an interior angle of 98° -03 minutes and parallel with the West line of Lot 12, a distance of 179.00 feet to a Point; thence Westerly at an interior angle of 89° -24 minutes a distance of 253.00 feet to a said Point being in the East right of way line of Transit Road; thence northerly at an interior angle of 90° -36 minutes and parallel with the west line of Lot 12, and along said east line of Transit Road, a distance of 196.22 feet to the Point or place of Beginning, containing 1.12 Acres more or less; and also the following:

TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 12, Township 11, Range 6, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 304.35 feet east from west line of Lot 12, as measured along the said south line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 332.00 feet to a point; thence southwesterly at an interior angle of 66° -00 minutes, a distance of 286.27 feet to a point; thence southerly at an interior angle of 212° -03 minutes and parallel with the west line of Lot 12, a distance of 257.07 feet to a point; Thence westerly at an interior angle of 89° -24 minutes, a distance of 176.82 feet to a point; Thence northerly at an interior angle of 90° -36 minutes and parallel with the west line of Lot 12, a distance of 544.35 feet to the point or place of beginning containing 2.62 Acres more or less.

and

PARCEL "B" - From an R1-Single Family Residence District to a C1-Local Retail Business District, described as --

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 23, Section 12, Township 11, Range 6, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 636.35 feet east from west line of Lot 12 as measured along the said south line of Maple Drive; thence running easterly and along said Maple Drive, a distance of 298 feet to a point; thence southerly at an interior angle of 98° -03 minutes and parallel with west line of Lot 12, a distance of 462.66 feet to a point; thence westerly at an interior angle of 89° -24' minutes a distance of 447 feet to a point; thence Northerly at an interior angle of 90° 36' minutes and parallel with the west line of Lot No. 12, a distance of 257.07 feet to a Point; Thence northeasterly at an interior angle of 147° -57 minutes a distance of 286.27 feet to the Point or place of beginning, containing 4.59 Acres, More or Less.

2. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 11th day of March, 1985, and

3. That a certified copy thereof be published in the Lancaster Bee on or before March 14, 1985;

4. That Affidavits of Publication be filed with the Town Clerk, and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO
ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed as follows:

Parcel "A" - From a C1-Local Retail Business District and R1-Single Family Residence District, to a C2-General Commercial District, described as---

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 50.00 feet East from West line of Lot 12 as measured along the said South line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 254.35 feet to a Point; Thence Southerly at an interior angle of 98° -03 minutes and parallel with the West line of Lot 12, a distance of 179.00 feet to a Point; Thence Westerly at an interior angle of 89° -24 minutes a distance of 253.00 feet to a said Point being in the East Right of Way line of Transit Road; Thence northerly at an interior angle of 90° -36 minutes and parallel with the west line of Lot 12, and along said east line of Transit Road, a distance of 196.22 feet to the Point or place of Beginning, containing 1.12 Acres more or less.

and also the following TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 304.35 feet east from west line of Lot 12 as measured along the said south line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 332.00 feet to a point; thence southwesterly at an interior angle of 66° -00 minutes, a distance of 286.27 feet to a point; thence southerly at an interior angle of 212° -03 minutes and parallel with the west line of Lot 12, a distance of 257.07 feet to a point; Thence westerly at an interior angle of 89° -24 minutes, a distance of 176.82 feet to a point; Thence northerly at an interior angle of 90° -36 minutes and parallel with the west line of Lot 12, a distance of 544.35 feet to the point or place of beginning containing 2.62 Acres more or less.

and

Parcel "B" - from an R1-Single Family Residence District to a C1-Local Retail Business District, described as --

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 636.35 feet east from West line of Lot 12 as measured along the said south line of Maple Drive; thence running Easterly and along said Maple Drive, a distance of 298 feet to a point; thence southerly at an interior angle of $98^{\circ}-03$ minutes and parallel with west line of Lot 12, a distance of 462.66 feet to a point; thence Westerly at an interior angle of $89^{\circ}-24'$ minutes a distance of 447 feet to a point; thence Northerly at an interior angle of $90^{\circ} 36'$ minutes and parallel with the West line of Lot 12, a distance of 257.07 feet to a Point; Thence Northeasterly at an interior angle of $147^{\circ}-57$ minutes a distance of 286.27 feet to the Point or place of beginning, containing 4.59 Acres, More or Less.

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of AMENDMENT TO ZONING ORDINANCE with the original thereof filed in my office at Lancaster, New York, on the 11th day of March, 1985, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 11th day of March, 1985.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, a Public Hearing was held on the 11th day of March, 1985, on the petition of KEITH A. WILKINSON and MARGRETTA M. WILKINSON, 4401 Walden Avenue, Lancaster, New York 14086, for the purpose of rezoning certain property commonly known as the Bowmansville School, situate on Martha Drive and Genesee Street, Bowmansville, Lancaster, New York, from an RC-Residence Restricted Business District to a C1-Local Retail Business District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of less than the area petitioned for, that being the rezone from the intersection of Martha Road and Genesee Street a distance of 270 feet westerly to a point and thence northwesterly parallel to Martha Road, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RC-Residence Restricted Business District to a C1-Local Retail Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, and being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Genesee Street extended with the westerly line of Martha Road extended as shown on a Subdivision Map filed in Erie County Clerk's Office under Cover No. 1621; thence westerly along the northerly line of Genesee Street 270.0 feet to a point; thence northerly parallel with the easterly line of Subdivision Lot No. 13 and Subdivision Lot No. 14, as shown on a map filed in Erie County Clerk's Office under Cover No. 1189, a distance 468 feet more or less, to a point in the

northerly line of lands conveyed under Liber 4248 of Deeds, Page 517, thence southeasterly to a point on said northerly line at the intersection of the southwest corner of subplot No. 18, as shown upon said Map filed under Cover No. 1621; thence southeasterly along the southerly line of said Subdivision Lot No. 18, 150 feet to a point in the westerly line of Martha Road; thence southerly along the westerly line of Martha Road and said line continued 55 feet; thence continuing southeasterly along a line drawn at right angles to the northerly line of Genesee Street and in part along the westerly line of Martha Road, as shown on said last mentioned cover, 267.78 feet to the point or place of beginning.

2. That said Ordinance Amendment be added in the Minutes of the meeting of the Town Board of the Town of Lancaster held on the 11th day of March, 1985,

3. That a certified copy thereof be published in the Lancaster Bee on or before March 14, 1985;

4. That Affidavits of Publication be filed with Town Clerk, and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 11, 1985

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO
ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property herein-after described is changed from an RC-Residence Restricted Business District to a C1-Local Retail Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, and being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Genesee Street extended with the westerly line of Martha Road extended as shown on a Subdivision Map filed in Erie County Clerk's Office under Cover No. 1621; thence westerly along the northerly line of Genesee Street 270.0 feet to a point; thence northerly parallel with the easterly line of Subdivision Lot No. 13 and Subdivision Lot No. 14, as shown on a map filed in Erie County Clerk's Office under Cover No. 1189, a distance 468 feet more or less, to a point in the northerly line of lands conveyed under Liber 4248 of Deeds, Page 517, thence southeasterly to a point on said northerly line at the intersection of the southwest corner of subplot No. 18, as shown upon said Map filed under Cover No. 1621; thence southeasterly along the southerly line of said Subdivision Lot No. 18, 150 feet to a point in the westerly line of Martha Road; thence southerly along the westerly line of Martha Road and said line continued 55 feet; thence continuing southeasterly along a line drawn at right angles to the northerly line of Genesee Street and in part along the westerly line of Martha Road, as shown on said last mentioned cover, 267.78 feet to the point or place of beginning.

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of AMENDMENT TO ZONING ORDINANCE with the original thereof filed in my office at Lancaster, New York, on the 11th day of March, 1985, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 11th day of March, 1985.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town of Lancaster has heretofore filed an EDA Grant Application for public works to be installed in the Lancaster Industrial Commerce Center, and

WHEREAS, said application has failed by reason of the insufficiency of federal funds therefor, in competition with other projects, and

WHEREAS, it has come to the attention of the Town of Lancaster that a new grant application for an EDA Grant for public works for the Lancaster Industrial Commerce Center may prove successful in securing said EDA Grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to make application for an EDA Grant for public works for the Lancaster Industrial Commerce Center, which application would be at no cost of the Town of Lancaster other than for the work input of town officials and employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

Councilman Czaplá requested a suspension of the necessary rule
for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has duly
advertised for bids for furnishing to the Town of Lancaster the necessary
trees for the 1985 Tree Planting Program in accordance with specifications
on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on February 25, 1985,

NOW, THEREFORE, BE IT
RESOLVED, as follows:

SECTION 1: that the low bid of Gleason's Nursery, Inc.,
4780 Sheridan Drive, Williamsville, New York 14221, as set forth below, said
bid being the lowest responsible bid for those varieties in conformance with
the specifications relating hereto, be and are hereby accepted:

<u>SPECIES</u>	<u>PRICE PER TREE</u>
Hedge Maple	\$44.00
Columnar Norway Maple	43.00
Crimson King Maple	43.00
Emerald Queen Maple	43.00
Schwedler Maple	39.50
Cumulus Serviceberry	52.00
Pyramidal European Hornbeam	52.00
Shademaster Locust	43.00
Skyline Locust	43.00
Radiant crab	39.50
Double Flowering Crab	39.50
Bradford Callery Pear	45.00
Redspire Flowering Pear	45.00
Red Oak	46.00
Glenleven Linden	43.00
Greenspire Linden	43.00
Japanese Tree Lilac	52.00

SECTION 2: that the low bid of Birch Grove Landscaping and Nursery, Inc., Box 117, East Aurora, New York 14052, as set forth below, said bid being the lowest responsible bid for those varieties in conformance with the specifications relating hereto, be and are hereby accepted:

<u>SPECIES</u>	<u>PRICE PER TREE</u>
Red Sunset Maple	\$44.00

SECTION 3: that the low bid of Domes Tree Farm and Garden Center, Inc., Route 39, Bliss, New York 14024, as set forth below, said bid being the lowest responsible bid for those varieties in conformance with the specifications relating hereto, be and are hereby accepted:

<u>SPECIES</u>	<u>PRICE PER TREE</u>
Austrian Pine	\$80.00
White Pine	80.00
Blue spruce	80.00

and,

BE IT FURTHER

RESOLVED, that the Town Clerk, upon receipt of notification from the Chairman of the Tree Planting Committee, of the quantities, locations and tree varieties required for the 1985 Tree Planting Program, be authorized to execute the necessary purchase orders for the quantities required and forward these orders to the appropriate low bidders along with supplemental information relative to specific planting locations.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

ouncilman Giza requested a suspension of the necessary rule for
immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town Board, by resolution dated August 16, 1982,
appointed KAREN SCHANNE to the position of Youth Counselor in the service of
the Town of Lancaster, on a provisional basis, and

WHEREAS, the Town Board, by resolution dated September 19, 1983,
appointed ROBERT SMITH to the position of Youth Counselor in the service of
the Town of Lancaster, on a provisional basis, and

WHEREAS, the Town Board, by resolution dated August 2, 1982,
appointed DAVID PARRA to the position of Outreach Worker in the service of
the Town of Lancaster, and

WHEREAS, the Executive Director of the Youth Bureau and Drug Abuse
Prevention Council of the Town of Lancaster, by letter dated February 27,
1985, has informed the Town Board that Karen Schanne, Robert Smith and David
Parra all have successfully passed qualifying Civil Service examinations for
appointment to three permanent positions as Youth Counselors in the service
of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that KAREN SCHANNE, ROBERT J. SMITH and DAVID PARRA be
and are hereby appointed to the permanent positions of Youth Counselors in
the service of the Town of Lancaster, effective March 11, 1985, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby
abolishes the previously established position of Outreach Worker within the
Drug Abuse Prevention Program, effective March 11, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 11, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit - Philip Antonicelli
On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner.
2. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
3. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
4. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
5. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Rezone Petition - Red Roof Inns, Inc.
On March 11, 1985, the Town Board approved this rezone. The Town Clerk was directed to remove this item from future Town Board agendas.
7. Rezone Petition - Keith and Margretta Wilkinson
On March 11, 1985, the Town Board approved this rezone. The Town Clerk was directed to remove this item from future Town Board agendas.
8. Road Acceptance - Pasquale Drive
On August 1, 1984, the Town Attorney, by letter, notified the developer what steps must be taken to complete dedication of this road as a Town highway.
9. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
10. Traffic Study - Signal, Bowen Road and William Street
On June 19, 1984, this matter was referred to the Police Chief for investigation and recommendation.
11. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
13. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.

PERSONS ADDRESSING THE TOWN BOARD:

None

COMMUNICATIONS:

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DISPOSITION

159. C & F Underwriters Group to Town Clerk - Advisement concerning tort claims of Salvatore, Lynn and John Ognibene.	<u>TOWN ATTORNEY</u> _____ _____
160. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 2/25/85.	<u>R & F</u> _____ _____
161. Recreation Dir. to Town Board - Request purchase of new truck.	<u>RECREATION COMMITTEE</u> _____ _____
162. Recreation Dir. to Town Board - Request meeting to resolve problems with recreation sites.	<u>RECREATION COMMITTEE</u> _____ _____
163. BFI Waste Systems to Highway Supt. - Clarification regarding disposal site.	<u>R & F</u> _____ _____
164. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of variance petitions as filed by Allen Esposito and Theodore Kulbacki.	<u>R & F</u> _____ _____
165. Councilman Kwak to Town Board - Report of Association of Towns meeting.	<u>R & F</u> _____ _____
166. Youth Bureau Ex. Dir. to Supervisor - Request Karen Schanne and Robert Smith be appointed Youth Counselors on a permanent basis and the position of Outreach Worker be eliminated.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u> _____ _____ _____
167. Congressman Nowak to Supervisor - Update on funding for operation of stream gage station at Cayuga Creek.	<u>R & F</u> _____ _____
168. Northeastern Communities Solid Waste Management Board to Supervisor - Notification of \$500.00 contribution cost for 1985.	<u>R & F</u> _____ _____
169. Secretary of State to Supervisor - Notice of various one-day seminars to be held in spring for local government officials.	<u>R & F</u> _____ _____
170. Town Clerk to Supervisor - Monthly report for February 1985.	<u>R & F</u> _____ _____
171. N.Y.S. Dept. of Correctional Services to Supervisor - SEQR Notice of Completion of Final Environmental Impact Statement re. Wende Correctional Facility expansion.	<u>TOWN ATTORNEY FOR</u> <u>FOLLOWING ECWA</u> _____ _____ _____
172. Leg. Mohr to Sr. Citizens Director - Notice that fee will not be charged to use Sr. Citizen House at Como Park.	<u>R & F</u> _____ _____
173. Town Clerk to Town Board - Report of Association of Towns Conference.	<u>R & F</u> _____ _____
174. D.C.O. to Town Board - Monthly report for February 1985.	<u>R & F</u> _____ _____
175. Asst. Building Inspector to Town Board - Monthly report for February 1985.	<u>R & F</u> _____ _____

COMMUNICATIONS CONT'D.:

Page 139
DISPOSITION

176. Town Clerk to Anastasi Trucking Inc. - Transmittal of Notice of Cancellation on Insurance policy with request for new Certificates of Insurance.	R & F ENGINEERS FOR FOLLOW UP
177. Town Line V.F.D. to Town Clerk - Recommendation of new member to active roster.	R & F
178. Highway Supt. to Town Board - Notice of rejection of all bids for refuse dump site.	TOWN ATTORNEY TO REJECT ALL BIDS 3/25/85
179. Planning Board to Town Board - Minutes from meeting held 2/20/85.	R & F
180. Supervisor to County, State and Federal Agencies - "Declaration of State of Emergency" regarding flooding on 2/24/85.	R & F
181. Town Engineers to Supervisor - Transmittal of Change Order No. 1 for Sewer Project Contract LT-1.	TOWN ATTORNEY
182. John Kicak to Supervisor - Report on attendance at Association of Towns Conference.	R & F
183. Depew Village Electrician to Supervisor - Information and directives concerning fire alarm tie for Depew Branch Library.	SUPERVISOR
184. Hillview Baptist Church to Supervisor - Request permission to park on north side of Rehm Rd. on large attendance days.	POLICE & PUBLIC SAFETY COMMITTEE
185. N.Y.S. Div. of Regulatory Affairs to Supervisor - Notice that no department permit is required for proposed construction by Red Roof Inns.	R & F
186. County Dept. of Environment and Planning to Supervisor - Designation of Town as lead agency for Red Roof Inns project.	R & F
187. Town Clerk to Town Board - Request appointment of chairman for Zoning Board of Appeals.	PLANNING COMMITTEE
188. Recreation Commission to Town Board - Minutes from meeting held 2/23/85.	R & F
189. Councilman Giza to Town Board - Report on attendance at Association of Towns Conference.	R & F
190. Councilman Miller to Town Board - Report on attendance at Association of Towns Conference.	R & F
The Supervisor requested immediate suspension of the necessary rule for consideration of the following communications - SUSPENSION GRANTED.	
191. Fox & Co. to Town Board - Proposal to provide assistance for year end bookkeeping and accounting needs.	R & F

COMMUNICATIONS CONT'D.:

DISPOSITION

192. Association of Towns to Supervisor -
Invitation to attend Congressinal Breakfast
in Washington on 3/26/85.

TOWN CLERK FOR
RESOLUTION - 3/25/85

193. Supervisor to Town Attorney, Town Board and
Howard Benzel -
Update and comments concerning application
for EDA competition for public work grants.

R & F

194. Supervisor to Highway Supt. -
Request reparation of 1984 CHIPS Report.

R & F

195. Assoc. of Erie County Governments to County
Commissioner of Finance -
Request reversal of decision not to extend
tax warrants.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 10:40 P.M. out of respect
to:

JOY HERGET
MARY RYAN
MARIE SCHWARTZ

Signed

Robert P. Thill

Robert P. Thill, Town Clerk